

REMARKS

Claims 3-5, 7-9 and 12-23 are pending. Claim 23 has been cancelled. Claim 24 has been added. Figure 1 has been amended. Figure 6 has been added. No new matter has been added.

Drawing Objections

Paragraph 1 of the Office Action states "Figures 1 and 3A should be designated by a legend such as ---Prior Art---because only that which is old is illustrated. An amended Figure 1 is included herewith. Therefore, Applicant believes that this objection has been addressed. However, Applicant respectfully traverses the objection to Figure 3A in that Figure 3A illustrates an embodiment of the present invention.

Paragraph 2 of the Office Action states, "The drawings are objected to because an 'ECC encoder' and an 'ECC decoder' per se are not shown, as Figures 5B and 5C merely show an 'encoding process' and a 'decoding process,'..." A new figure 6, which depicts an ECC encoder and a decoder as recited by independent Claim 3, has been added. No new matter has been added due to the new figure 6 or due to adding the new paragraph that describes figure 6. Therefore, Applicant believes that this objection has been addressed.

Specification Objections

Paragraph 3 of the Office Action states, "The disclosure is objected to because of the following informalities: in paragraph 0028, "flowcharts illustrating process using the ECCs" is not idiomatic English. Appropriate correction is required." Applicant believes that the Office Action is referring to page 3 lines 7 and 8 where the specification states, "Figures 5A -5C are flowcharts illustrating

processes using the ECC schemes of Figures 3A and 3B.” Applicant respectfully traverses this objection. The Office Action misquoted this portion of the specification.

Claim Objections

In paragraph 4 of the Office Action, Claims 3-5, 7-9, 12-17 and 21-23 are objected to because of informalities. The Office Action states, “‘first ECC code’ and ‘second ECC code’ are considered vague if expected to distinguish between two different types of ECC coding... Consequently, ‘first ECC code’ and ‘second ECC code’ apparently should be ‘first type of ECC code’ and ‘second type of ECC code’ or the like.” Applicant traverses this objection. Figures 3A, 3B, 4A, and 4B clearly depict more than one ECC code which may or may not be different types of ECC codes.

Paragraph 4 of the Office Action goes on to state, “The term ‘packet’ is usually reserved for independently-addressable data units, and applicants ‘packets’ apparently are not independently-addressable data units.” (emphasis added) Applicant traverses this objection. Patent prosecutors are their own lexicographers. Further, a person of ordinary skill in the art will have no trouble understanding what is meant by the term “packet” as used in the specification and the claims of the instant application (e.g., application serial number 10/615,532). Lastly, it is not Applicant’s intention to imply that the term “packet” as used in the specification and the claims of the instant application cannot be independently-addressable data units.

Paragraph 4 of the Office Action also states, “Regarding claims 3 and 23: ‘ECC encoder’ apparently should be ‘ECC encoding process’ and ‘decoder’ apparently should be ‘decoding process,’ given the disclosure as

it currently stands. Appropriate correction is required.” Applicant has added a figure 6 to the specification to address this objection. No new matter has been added due to the new figure 6 or due to adding the new paragraph that describes figure 6.

Claim Rejections – 35 USC 112

In paragraph 5 of the Office Action, Claims 13-17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite. The Office Action states, “Regarding claims 13, 16, and 17, ‘claim 10’ apparently should be ‘claim 12’.” Claims 13, 16, and 17 have been amended to depend on Claim 12 instead of Claim 10. Therefore, Applicant believes that this rejection has been addressed.

102(e) Rejections

Claims 3, 4, 9, 12-14, 17 and 21-23

In paragraph 9 of the Office Action, Claims 3, 4, 9, 12-14, 17 and 21-23 are rejected under 35 U.S.C. § 102(e) as being anticipated by US patent no. 6,850,519 by Saito et al (referred to hereinafter as “Saito”). The Applicant has reviewed the cited reference and respectfully submit that the present invention as recited in the amended independent Claims 3, 12 and 24 is not taught or suggested by Saito.

Amended Independent Claim 1 recites,

“A multiple error correcting code (ECC) mechanism for use with transactions in a computer system, comprising:

an ECC encoder, the ECC encoder applying a first ECC code to a first portion of a transaction and a second ECC code to a second portion of the transaction; and

a decoder that decodes the first and the second ECC codes, wherein the first portion of the transaction is a header packet, wherein the second portion of the transaction comprises one or more data packets and wherein all of the data packets do not require an associated ECC code.” (emphasis added)

Applicants respectfully assert that Saito does not teach or suggest “wherein all of the data packets do not require an associated ECC code,” among other things, as recited by Claim 1. “Wherein all of the data packets do not require an associated ECC code” is supported in the specification of the instant application, among other places, at page 5 lines 14-15, Figure 3A, and Figure 3B.

For example, it appears that it is the Office Action’s intention to compare Saito’s “packet segments” to the “data packets” recited by Claim 1. Saito teaches associating “a type of error correction scheme” with each of his “packet segments.” For example, in Col. 3 lines 19-20 and again at Col. 3 lines 27-28, Saito states, “...the plurality of packet segments each may have a field describing therein information based on which the error correction scheme to be employed is selected.” In another example, Saito states in Col. 4 lines 14-15 and again at Col. 4 lines 21-22, “...selecting the scheme to be employed for each of the packet segments...” Not only does Saito not teach or disclose “wherein all of the data packets do not require an associated ECC code,” as recited by Claim 1 but Saito teaches away from “wherein all of the data packets do not require an associated ECC code.”

Therefore, Applicant respectfully believes that Claim 1 overcomes the rejection on the basis of Saito. Further, for similar reasons Applicant respectfully believes that independent Claims 12 and 24 overcome the rejection on the basis of Saito.

Claims 3, 4 and 9 depend on Claim 1 and Claims 13, 14, 17, 21 and 22 depend on Claim 12 and include additional limitations which

further make these dependent claims patentable. Therefore, Applicants believe that Claims 3, 4, 9, 13, 14, 17, 21 and 22 also overcome the rejection on the basis of Saito.

103 Rejections

Claims 7 and 16

In paragraph 11 of the Office Action, Claims 7 and 16 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Saito in view of Official Notice. The Applicant has reviewed the cited references and respectfully submit that the present invention as recited in Claims 7 and 16 is not anticipated nor rendered obvious by Saito.

As already stated, Saito does not teach or suggest independent Claims 1 and 12. The Official Notice does not overcome the deficiencies of Saito. Since Claims 7 and 16 depend respectively on Claims 1 and 12 and recite additional limitations which further make them patentable, Applicant respectfully submits that Claims 7 and 16 are also patentable over Saito.

Conclusions

In light of the above remarks, Applicants respectfully request reconsideration of the rejected claims.

Applicant thanks the Examiner for allowing Claims 5, 8, 15 and 18-20. Based on the arguments presented above, Applicant respectfully asserts that Claims 3, 4, 7-9, 12-14, 16, 17 and 21, 22, and 24 overcome the rejections of record and, therefore, Applicant respectfully solicits allowance of these claims.


Applicant has reviewed the references cited but not relied upon and respectfully submit that these references neither teach nor suggest the claimed limitations.

The Examiner is invited to contact Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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